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AS
PATENT
KM 1060A
1/15/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andersen et al.)
Serial No.: 09/610,821)
Filing Date: July 6, 2000)
For: HIGH DISCHARGE CAPACITY)
ELECTROLYTIC MANGANESE)
DIOXIDE AND METHODS OF)
PRODUCING THE SAME)

Art Unit: 1741
Examiner: Arun S. Phasge

Box Non-Fee Amendment
COMMISSIONER FOR PATENTS
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RESPONSE TO OFFICE ACTION

The Office Action mailed on August 28, 2001 (the "Office Action") and the references relied upon by the Examiner have been carefully reviewed. Applicants respectfully request that the Examiner consider the following Remarks.

REMARKS

The Office Action and the authorities relied upon by the Examiner have been carefully reviewed. In the Office Action, the Examiner rejected claims 17-25 under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner reasoned that "composition claims are held to be indefinite for being defined in terms of a single property." In support of this rationale, the Examiner relied upon Ex Parte Spacht, 165 U.S.P.Q. 409 (CPAI 1969).